11-26-01

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J1000 U.S. PTO 11/23/01

**Practitioner's Docket No. D-1112 R4** *PATENT*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

J1040 U.S. PTO 09/991748 11/23/01

**Box Patent Application**
**Commissioner for Patents**
**Washington, D.C. 20231**

**NEW APPLICATION TRANSMITTAL**

Transmitted herewith for filing is the patent application of

Inventor(s): Jeffery M. Enright

For (title): **AUTOMATED BANKING MACHINE SYSTEM AND METHOD**

Express Mail Label No. EV044422373US

## 1. Type of Application

This transmittal is for an original (nonprovisional) application.

## 2. Papers Enclosed

**A.** Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

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**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.10***
*(When using Express Mail, the Express Mail label number is **mandatory**;*
*Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

[X] deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231. P.O. BOX 2327 ARLINGTON, VIRGINIA 22202
**37 C.F.R. Section 1.8(a)**

[ ] with sufficient postage as first class mail.

**37 C.F.R. Section 1.10***

[X] as "Express Mail Post Office to Address" Mailing Label No. EV044422373US (**mandatory**)

WASH D.C. MAIL BEING REFUSED ALTERNATIVE ADDRESS ON PTO WEB SITE SUBSTITUTED RP 11/23/01

**TRANSMISSION**

[ ] transmitted by facsimile to the Patent and Trademark Office (703) ___-____.

Date: November 26, 2001
23

**Signature**

Ralph E. Jocke
*(type or print name of person certifying)*

***WARNING:** *Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. Section 1.10(b)*
*"Since the filing of correspondence under [Section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.*

124 Pages of Specification
8 Pages of Claims
79 Sheets of Drawing(s)--Informal

**B.** Other Papers Enclosed

3 Pages of declaration and power of attorney
1 Page of abstract
2 Pages of Assignment
2 Pages Application Data Sheet
1 Page Non-publication Request

**3. Declaration or Oath**

Enclosed

Executed by:
* inventor.

**4. Inventorship Statement**

The inventorship for all the claims in this application is the same.

**5. Language**

English

**6. Assignment**

Assignment of the invention to Diebold, Incorporated is attached. Separate FORM PTO 1595 are also attached.

PTO/SB/05 (08-03)

## 7. Fee Calculation (37 C.F.R. Section 1.16)

Regular Application

CLAIMS AS FILED

| Claims | Number Filed | Basic Fee Allowance | Number Extra | Rate | Basic Fee 37 CFR 1.16(a) $740.00 |
|---|---|---|---|---|---|
| Total Claims (37 CFR 1.16(c)) | 34 | - 20 = | 14 x | $18.00 | $252.00 |
| Independent Claims (37 CFR 1.16(b)) | 3 | - 3 = | 0 x | $84.00 | $ 0.00 |
| Multiple Dependent Claim(s), if any (37 CFR 1.16(d)) | | | + | $270.00 | $ 0.00 |

Filing Fee Calculation $ 992.00

## 8. Fee Payment Being Made at This Time

Enclosed

| | |
|---|---|
| Filing Fee | $ 992.00 |
| Recording assignment ($40; 37 C.F.R. Section 1.21(h)) (See attached "COVER SHEET FOR ASSIGNMENT ACCOMPANYING NEW APPLICATION"). | $ 40.00 |
| **Total Fees Enclosed** | $1,032.00 |

## 9. Method of Payment of Fees

Charge Account No. 09-0428 (InterBold) in the amount of $1,032.00.
A duplicate of this transmittal is attached.

## 10. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 09-0428 (InterBold).

37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

37 C.F.R. Section 1.16(b), (c) or (d) (presentation of extra claims)

37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to SECTION 1.136(a))

37 C.F.R. Section 1.17 (application processing fees)

**11. Instructions as to Overpayment**

Credit Account No. 09-0428 (InterBold).

**ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION CLAIMED**

**12. Relate Back**

**A. 35 U.S.C. Section 119(e)**

This application claims the benefit of U.S. Provisional Application No.:

| APPLICATION NO. | FILING DATE |
|---|---|
| 60/253,221 | 11/27/2000 |
| 60/103,731 | 10/09/1998 |

**B. 35 U.S.C. Section 120**

This application claims the benefit of pending U.S. Application No.:

| APPLICATION NO. | FILING DATE |
|---|---|
| 09/414,290 | 10/07/1999 |

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D-1112 R4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|---|---|---|
| In re Application of: Enright | | ) |
| | | ) |
| Serial No.: | **(unknown)** | ) |
| | | ) |
| Filed: | **Herewith** | ) |
| | | ) |
| For: | Automated Banking Machine System and Method | ) |

PTO/SB/35 (08-06)
Approved for use through 07/31/2006. OMB 0651-0032

**Non-publication Request Pursuant to 37 C.F.R. § 1.213**

Box Patent Application
Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

THE ABOVE REFERENCED APPLICATION FILED HEREWITH IS NOT TO BE PUBLISHED UNDER 35 U.S.C. § 122(b).

It is hereby certified that the invention disclosed in the above-referenced application has not been and (unless this non-publication request is first rescinded in accordance with 37 C.F.R. § 1.213(b)) will not be the subject of an application filed in another country, or filed under a multilateral agreement, that requires publication of the application at eighteen (18) months after filing.

Respectfully submitted,

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